THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.15667 OF 2006

DATED 27.7.2006

BETWEEN:

Smt.K.Uma Maheswari … Petitioner.

And

Municipal Commissioner,
Greater Visakha Municipal Corporation,
Vishakapatnam
And others. … Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.15667 OF 2006

ORDER:

Heard both the counsel.

The writ Petition is filed for a writ of mandamus declaring the action of the respondents as illegal and ultra vires to the provisions of Articles 14 and 300-A of the Constitution of India besides directing not to dispossess or demolish the property of the petitioner bearing Door No.2/21, Assessment No.458 of Chinnamoshidawada village of Visakhapatnam district and to pass such other suitable order.

Several factual details had been narrated in the affidavit filed in support of the writ petition. The main grievance of the writ petitioner is that without putting the petitioner on notice and without following due process of law respondents are proceeding with the demolishing activity.

It is needless to say that the respondents are expected to follow due process of law before carrying on any demolition activity.

In view of the same, the writ petition is disposed of directing the respondents not to carry on with any demolition activity relating to the subject matter of the writ petition unless and until they follow due process of law.

With the above direction, the writ petition is disposed of. No order as to costs.

27.7.2006.

Note:

Issue wire of the order at party's cost.

B/o.

Mdaa/Bss